

ASSEMBLY BILL

No. 269

Introduced by Assembly Member Grove

February 7, 2013

An act to repeal and add Section 3117 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 269, as introduced, Grove. Vote by mail ballots: military or overseas voters.

Existing law requires that a vote by mail ballot be received by the issuing elections official or the precinct board no later than the close of polls on election day.

This bill would make an exception for military or overseas voters, as defined, and would instead require that their vote by mail ballots be postmarked by the United States Postal Service or the Military Postal Service Agency on or before election day and received by their elections officials not later than 10 days after election day.

Because the bill would impose additional duties on local elections officials, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3117 of the Elections Code is repealed.
2 ~~3117. A valid ballot cast shall be counted if it is received by~~
3 ~~the elections official by the time the polls close on the day of the~~
4 ~~election.~~

5 SEC. 2. Section 3117 is added to the Elections Code, to read:

6 3117. Notwithstanding Section 3020 or 4103, or any other
7 provision of law, a vote by mail ballot of a military or overseas
8 voter is timely cast if it is postmarked by the United States Postal
9 Service or the Military Postal Service Agency on or before election
10 day and received by the voter's elections official not later than 10
11 days after election day.

12 SEC. 3. If the Commission on State Mandates determines that
13 this act contains costs mandated by the state, reimbursement to
14 local agencies and school districts for those costs shall be made
15 pursuant to Part 7 (commencing with Section 17500) of Division
16 4 of Title 2 of the Government Code.